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w/ order(90)
RB9/25IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIAPHILLIPS-VAN HEUSEN CORP.,
Plaintiff,
vs.MITSUI O.S.K. LINES LTD.,
Defendant/Third-Party Plaintiff,v.
KELLAWAY INTERMODAL & DISTRIBUTION
SYSTEMS, INC.,
Third-Party Defendant.Judge Rambo
CIVIL ACTION NO.: 1:CV00-0665FILED
HARRISBURG, PA

SEP 24 2002

MARY E. D'ANDREA, CLERK
Per Deputy Clerk**THIRD-PARTY DEFENDANT, KELLAWAY INTERMODAL & DISTRIBUTION SYSTEMS,
INC.'S ANSWER TO PETITION FOR ATTORNEY FEES AND EXPENSES
OF THIRD-PARTY PLAINTIFF DAADS t/a MAERSK LINES, INC.**

Third-party defendant, Kellaway Intermodal & Distribution Systems, Inc. ("Kellaway"), through its counsel, Duffy & Keenan, respectfully requests that this Honorable Court deny the petition for attorney fees and expenses of third-party plaintiff, Maersk Lines, Inc. ("Maersk"), and responds as follows:

1. Denied. The averment in the corresponding paragraph of the petition is based upon a writing which speaks for itself.
2. Denied. The averment in the corresponding paragraph of the petition is based upon a writing which speaks for itself.
3. Denied. The averment in the corresponding paragraph of the petition is based upon a writing which speaks for itself.
4. Denied. The averment in the corresponding paragraph of the petition is based upon a writing which speaks for itself.

5. Denied. The averment in the corresponding paragraph of the petition is based upon a writing which speaks for itself. Furthermore, the averment is an incorrect conclusion of law.

6. Denied as an incorrect conclusion of law.

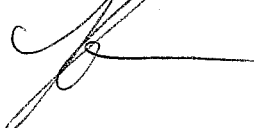
7. Admitted in part; denied in part. Kellaway admits that an affidavit is attached to the petition as Exhibit "A". Kellaway denies that the attorney fees requested are reasonable.

8. Denied as an incorrect conclusion of law.

WHEREFORE, third-party defendant, Kellaway Intermodal & Distribution Systems, Inc., respectfully requests that this Honorable Court deny the petition for attorney fees and costs of third-party plaintiff Maersk Lines, Inc.

Respectfully submitted,

DUFFY & KEENAN



BY: _____

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